

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q94674

Hyun-Soo KIM, et al.

Appln. No.: 10/595,620

Group Art Unit: 1633

Confirmation No.: 3640

Examiner: Fereydoun Ghotb SAJJADI

Filed: May 1, 2006

For: METHOD FOR DIFFERENTIATING MESENCHYMAL STEM CELL INTO NEURAL CELL AND PHARMACEUTICAL COMPOSITION CONTAINING THE NEURAL CELL FOR NEURODEGENERATIVE DISEASE

STATEMENT OF SUBSTANCE OF INTERVIEW

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Please review and enter the following remarks summarizing the interview conducted on

June 3, 2009:

REMARKS

An Examiner's Interview Summary Record (PTO-413) was attached with the communication dated June 4, 2009.

During the interview, the following was discussed: Examiner Sajjadi and Applicants' representatives discussed the patentability of present claims 1-4 and 6 over Furcht *et al.* (U.S. Patent No. 7,015,037, "Furcht"), in view of Kokuzawa *et al.* (U.S. Patent Application Publication No. 2006/0134078, "Kokuzawa").

1. Brief description of exhibits or demonstration: None
2. Identification of claims discussed: Claims 1-4 and 6
3. Identification of art discussed: Fercht et al. and Kokuzawa et al.
4. Identification of principal proposed amendments: None
5. Brief Identification of principal arguments: The combination of the cited references

fails to teach confluent MASCs culture prior to the neural differentiation as defined in the present claim 1. One of ordinary skill in the art would have no reasonable expectation of success in incorporating the medium for the differentiation of Kokuzawa's neural stem cells isolated from striatal cells in the differentiation of MASCs. The confluent pretreatment of MASCs prior to differentiating into a neural cell shows much improved differentiation and proliferation of neural cell, compared to differentiating MASCs into a neural cell in a same medium, without prior confluent culture.

The Examiner brought U.S.P. 7,229,827 owned by the assignee of the instant application for a possible obviousness-type double patenting. Applicant agreed to review the '827 patent.

6. Indication of other pertinent matters discussed: None
7. Results of Interview: No agreement has been reached.

It is respectfully submitted that the instant STATEMENT OF SUBSTANCE OF INTERVIEW complies with the requirements of 37 C.F.R. §§1.2 and 1.133 and MPEP §713.04.

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It is believed that no petition or fee is required. However, if the USPTO deems otherwise, Applicant hereby petitions for any extension of time which may be required to maintain the pendency of this case, and any required fee, except for the Issue Fee, for such extension is to be charged to Deposit Account No. 19-4880.

Respectfully submitted,

/Sunhee Lee/

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WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: July 6, 2009

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